

REMARKS

I. Status of the Claims

Claim 1 and 2 are pending in the application and are provisionally rejected for alleged obviousness-type double-patenting and under 35 U.S.C. §103. The specific grounds for rejection are set forth in detail below.

II. Obviousness-Type Double-Patenting

Claims 1 and 2 are provisionally rejected under the judicially-created doctrine of obviousness-type double-patenting. Given the provisional nature of the rejection, applicants submit that the first application to be otherwise allowable should be passed to issue, and the rejection made non-provisional in the remaining application.

III. Rejection Under 35 U.S.C. §103

Claims 1 and 2 are newly rejected as obvious over Moskowitz in view of Dzau *et al.* and Morishita *et al.* Applicants traverse, but in the interest of advancing the prosecution, claim 1 has been amended as suggested by the examiner to secure allowability. Reconsideration and withdrawal of the rejection is therefore respectfully requested.

IV. Conclusion

In light of the foregoing, applicants respectfully submit that all claims are in condition for allowance, and an early notification to that effect is earnestly solicited. The examiner is invited to contact the undersigned attorney at (512) 536-3184 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



Steven B. Highlander
Reg. No. 37,642
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 536-3184

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